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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------------|---|-------------------------------|
| In re Application of: |) | |
| Benjamin J. Parker et al |) | Group Art Unit: 2141 |
| |) | |
| Serial No.: 10/034,012 |) | Confirmation No.: 1871 |
| |) | |
| Filed: 12/20/2001 |) | Examiner: Kristie D. Shingles |
| |) | |
| For: Configuring Computer Network |) | Attorney Docket: 1805(15817) |
| Communications In Response To |) | |
| Detected Firewalls |) | |

REPLY BRIEF

Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Examiner's Answer mailed October 31, 2007, Appellant
submits the following Reply Brief to respond to new arguments made for the first time in
the Answer.

In the statement bridging pages 7 and 8, the Answer argues that the "exchange
of datagrams using direct addressing between the clients and bypassing the intermediary

server is neither stated or suggested by Appellant's claim language." With respect to claim 1, this statement is clearly erroneous since the last paragraph of claim 1 recites "said called user establishing a network session for said connection with said calling user by transmitting to said calling user's respective global address." With respect to independent claim 12, the statement is likewise erroneous because claim 12 recites "said called user establishing a network session for said connection with said calling user by transmitting directly to said calling user's respective global address." Independent claim 15 similarly recites "said called user thereafter establishing a network session for said connection with said calling user by transmitting directly to said calling user's respective global address." Thus, the Response to Argument section of the Answer is based on an erroneous claim interpretation.

On page 8, the Answer further argues that "this feature contradicts the invention as claimed." On the contrary, the claims do not contradict themselves and they are fully consistent with the description. As shown in Figure 5, the user computers interact with the central server to perform a lookup function and then conduct a direct packet exchange between the user computers as a result of the lookup function. The central server functions recited in the claims relate to the lookup (i.e., call setup) process and do not contradict the subsequent network session established from the called user to the calling user.

The Answer further argues that "[i]n light of the broadest interpretation given, Appellant's claim language does not preclude the teachings and embodiments (Figures 2a-2c) of Xu et al..." A test of obviousness that depends merely on what the claim language does or does not preclude is neither authorized nor supported by any relevant statute, rule, or case law. The proper standard is to determine whether the claimed invention would have been obvious to one of ordinary skill in the art after having first determined the differences between the claimed invention and the prior art. As shown

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above, one major difference is that, in the present invention, the called user establishes a network session with the calling user by transmitting to the calling user's respective global address when a respective NAT firewall is in place between the called user and the internetwork but not between the calling user and the internetwork. This feature is neither shown nor suggested by any prior art of record. Therefore, the rejection should be reversed.

CONCLUSION

The final rejection has failed to establish a case of prima facie obviousness of any pending claims. The prior art relied upon in the final rejection neither teaches nor suggests the structure or function of the present invention nor does it provide any teaching which can obtain the significant advantages which are achieved by the present invention. Accordingly, the final rejection dated March 21, 2007, should be reversed.

Respectfully submitted,



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